

**COMBINED DECLARATION AND POWER OF ATTORNEY  
FOR UTILITY PATENT APPLICATION**

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**SYSTEM AND METHOD FOR REMOTELY CALIBRATING A SYSTEM  
FOR ADMINISTERING INTERACTIVE HEARING TESTS**

the specification of which

XX is attached hereto.  
\_\_\_\_\_ was filed on \_\_\_\_\_ as Application No. \_\_\_\_\_  
and was amended on \_\_\_\_\_  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a) which states in relevant part: "Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section....The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98."

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate as indicated below and have also identified below any foreign application for patent or inventor's certificate on this invention having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	_____ Yes	_____ No
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EXPRESS MAIL LABEL NO.: EL685693902US  
DATE MAILED: 12 OCTOBER 2001

Attorney Docket No. RXSD 1013-1

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
CHRISTOPH MENZEL et al. ) Group Art Unit: *Unassigned*  
Application No. *Unassigned* ) Examiner: *Unassigned*  
Filed: Herewith )  
For: System and Method for Remotely )  
Calibrating A System for Administering )  
Interactive Hearing Tests )

**POWER OF ATTORNEY BY ASSIGNEE TO EXCLUSION OF INVENTOR**  
**UNDER 37 C.F.R. § 3.71 WITH REVOCATION OF PRIOR POWERS**

Commissioner of Patents  
Washington, D.C. 20231

Sir:

The undersigned ASSIGNEE of the entire interest in the above-identified application for letters patent hereby appoints:

Mark A. Haynes - Reg. No. 30,846  
Ernest J. Beffel, Jr. - Reg. No. 43,489  
Warren S. Wolfeld - Reg. No. 31,454  
James F. Hann - Reg. No. 29,719  
Bill Kennedy - Reg. No. 33,407

to prosecute this application and transact all business in the United States Patent and Trademark Office in connection therewith and hereby revokes all prior powers of attorney; said appointment to be to the exclusion of the inventors and the inventors' attorneys in accordance with the provisions of 37 C.F.R. § 3.71.

The following evidentiary documents establish a chain of title from the original owner to the Assignee:

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s), and under §119(e) of any United States provisional application(s), listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulation, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)	(Filing Date)	(Patented, Pending, Abandoned)

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith, and to file, prosecute and to transact all business in connection with international applications directed to said invention:

Mark A. Haynes	-	Reg. No. 30,846
Ernest J. Beffel, Jr.	-	Reg. No. 43,489
Warren S. Wolfeld	-	Reg. No. 31,454
James F. Hann	-	Reg. No. 29,719
Bill Kennedy	-	Reg. No. 33,407

Address all correspondence to:

**CUSTOMER NO. 22470**

Mark A. Haynes  
Haynes Beffel & Wolfeld LLP  
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Half Moon Bay, CA 94019

Direct all telephone calls to Mark A. Haynes at (650) 712-0340.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of **first** joint  
inventor, if any:

Christoph Menzel

Inventor's signature:

Christoph Menzel

Date:

9/27/01

Citizenship:

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Residence:

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Same as above.

FOOTNOTES

Full name of **second** joint  
inventor, if any:

John H. Winstead

Inventor's signature:

*John H. Winstead*

Date:

10/5/01

Citizenship:

U.S.A.

Residence:

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Post Office Address:

Same as above.

Full name of **third** joint

inventor, if any:

Terri E. Ives

Inventor's signature:

*Terri E. Ives*

Date:

10/8/01

Citizenship:

U.S.A.

Residence:

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Post Office Address:

Same as above.

Full name of **fourth** joint

inventor, if any:

Sunil Puria

Inventor's signature:

*Sunil Puria*

Date:

10/5/01

Citizenship:

U.S.A.

Residence:

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Post Office Address:

Same as above.

Full name of **fifth** joint  
inventor, if any:

Andy

Andrew P. Atamaniuk

Inventor's signature:

A. Atamaniuk

Date:

10/8/01

Citizenship:

Canada

Residence:

1710 Alameda

Redwood City, CA 94061

Post Office Address:

Same as above.

Full name of **sixth** joint

inventor, if any:

Brent W. Edwards

Inventor's signature:

Brent W. Edwards

Date:

Oct. 5, 2001

Citizenship:

Canada

Residence:

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Post Office Address:

Same as above.